

District Judge Kymberly K. Evanson

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

NAUSICAA MARIE-MADELEINE  
HABIMANA KANTENGWA,

Plaintiff,

v.

ALEJANDRO MAYORKAS, *et al.*,

Defendants.

Case No. 2:24-cv-00327-KKE

STIPULATED MOTION TO HOLD  
CASE IN ABEYANCE AND ORDER

Plaintiff and Defendants, by and through their counsel of record, pursuant to Federal Rule of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to hold this case in abeyance until January 17, 2025. Plaintiff brought this litigation pursuant to the Administrative Procedure Act and Mandamus Act seeking, *inter alia*, to compel the U.S. Citizenship and Immigration Services (“USCIS”) adjudicate her Form I-589, Application for Asylum and for Withholding of Removal. Defendants’ response to the Complaint is currently due on August 23, 2024. The parties are currently working towards a resolution to this litigation. For good cause, the parties request that the Court hold the case in abeyance until January 17, 2025.

1 Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706  
2 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to  
3 control the disposition of the causes on its docket with economy of time and effort for itself, for  
4 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R.  
5 Civ. P. 1.

6 With additional time, this case may be resolved without the need of further judicial  
7 intervention. USCIS has scheduled Plaintiff’s asylum interview for September 20, 2024.  
8 USCIS agrees to diligently work towards completing the adjudication within 120 days of the  
9 interview, absent unforeseen or exceptional circumstances that would require additional time for  
10 adjudication. If the adjudication is not completed within that time, USCIS will provide a status  
11 report to the Court. Plaintiff will submit all supplemental documents and evidence, if any, to  
12 USCIS seven to ten days prior to the interview date. Plaintiff recognizes that failure to submit  
13 documents prior to the interview may require the interview to be rescheduled and the  
14 adjudication delayed. After the interview, USCIS will need time to adjudicate Plaintiff’s  
15 asylum application. Once the application is adjudicated, Plaintiff will dismiss the case with  
16 each party to bear their own litigation costs and attorneys’ fees. Accordingly, the parties  
17 request this abeyance to allow USCIS to conduct Plaintiff’s asylum interview and then process  
18 her asylum application.

19 As additional time is necessary for this to occur, the parties request that the Court hold  
20 the case in abeyance until January 17, 2025. The parties will submit a joint status report on or  
21 before January 17, 2025.

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1 DATED this 19th day of August, 2024.

2 Respectfully submitted,

3 TESSA M. GORMAN  
4 United States Attorney

LAW OFFICE OF DANIEL J. SMITH, PLLC

s/ Michelle R. Lambert

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*Attorney for Plaintiff*

10 *Attorneys for Defendants*

11 ***I certify that this memorandum contains 392***  
12 ***words, in compliance with the Local Civil***  
***Rules.***

**ORDER**

The Court GRANTS the parties' stipulated motion (Dkt. No. 11) to hold this case in abeyance until January 17, 2025. The parties shall submit a joint status report on or before January 17, 2025.

DATED this 20th day of August, 2024.

A handwritten signature in black ink, reading "Kimberly K. Evanson". The signature is written in a cursive, flowing style. Below the signature is a solid horizontal line.

Kimberly K. Evanson  
United States District Judge